

Examiner is respectfully requested to provide a copy of the translated patent noted below and restart or extend the period for reply to the subject Office Action.

REJECTION UNDER 35 U.S.C. § 102

Claims 7-13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Patent No. JP 08211398. As noted in a telephone conversation with the Examiner on January 24, 2002, the Examiner noted that a machine translation of Japanese Patent No. JP 08211398 was relied on in rejecting claims 7-13. The Applicant during telephone conversations with the Examiner has made three requests during the statutory period for response for a copy of the translated document the Examiner relied on. As of the date of this request, the Applicant has not received the translation which is necessary to respond to the Examiner's rejection of claims 7-13. The Examiner repeated during these telephone conversations that the file containing the requested copy of Japanese Patent No. JP 08211398 was unavailable. On March 1, 2002, the Examiner noted the file was still unavailable and offered to provide a similar machine translated copy of Japanese Patent No. JP 08211398. The Applicant notes the translation provided on March 1, 2002 is not of Japanese Patent No. JP 08211398.

Based on the above, the Applicant has been unable to prepare a response to the subject office action. During a telephone conversation with the Examiner's supervisor, David Talbot, on March 5, 2002, Mr. Talbot suggested a formal request for the document be made during the time remaining in the three month statutory period for reply, and that a continuing effort was underway to locate the subject file. The Applicant therefore formally requests a copy of the translated Japanese Patent No. JP 08211398

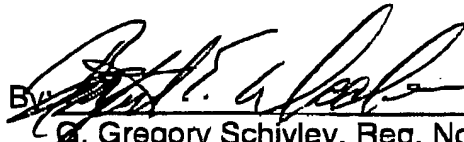
used by the Examiner for rejection of claims 7-13 of the subject application. The Applicant also respectfully requests that the statutory period for reply for the subject Office Action be restarted or extended. At least 2 months will be required from the mailing date of any action since the Applicant is domiciled in Japan.

CONCLUSION

Prompt and favorable consideration of this request is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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